

REMARKS/ARGUMENTS

Claims 8-18 and 20-33 were previously pending in the application. Claim 30 is canceled, and claims 27 and 31 are amended herein. Assuming the entry of this amendment, claims 8-18, 20-29, and 31-33 are now pending in the application. The Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and these remarks.

Claims 8-18, 20-26, and 32-33 are allowed. On page 2 of the office action, the Examiner rejected claims 27-30 under 35 U.S.C. § 102(b) as being anticipated by Howell. On page 4, the Examiner rejected claim 31 under 35 U.S.C. § 103(a) as being unpatentable over Howell in view of Costello. For the following reasons, the Applicant submits that claims 27-29 and 31 are allowable over the cited references.

Currently amended claim 27 is equivalent to previously presented claim 30 rewritten in independent form. Claim 27 specifies, inter alia, that “the upright spring enables rotation of the rotatable mass about a rotation axis offset from the substrate by a distance greater than the first offset distance.” For the following reasons, the Applicant submits that the Examiner’s reliance on Howell, as teaching this limitation, is improper.

First of all, in the section entitled “Objects and Summary of the Invention,” Howell explains that it is “an object of the present invention to provide an ortho-planar spring with substantially linear motion, and without significant rotational motion” (emphasis added). Howell then explains that his platform is movable “without pivoting” (col. 2, lines 40-41) “to preserve the orientation of the platform with respect to the base. Thus, a platform surface remaining substantially parallel to a base surface as the platform moves with respect to the base.” (Col. 2, lines 47-50.)

To support her rejection of previously presented claim 30, the Examiner cites Howell’s col. 5, lines 9-22; col. 6, lines 50-65; col. 8, lines 31-39, and col. 13, line 65, through col. 14, line 4. However, inspection of the cited text reveals that it does not teach or even suggest the limitation in question. More specifically, col. 5, lines 9-22, provide that:

The platform 14 moves linearly along at least a portion of an axial direction 22, which is perpendicular to both the base 10 and platform 14, without substantially pivoting about the axial direction 22. Thus, the platform 14 and base 10 remain substantially parallel. The connecting structure 18 is bendable to develop axial and non-axial forces. The axial forces are directed along the axial direction 22 to bias the platform 14 in a stable position with respect to the base 10. The non-axial forces substantially sum to zero, or cancel each other, to preserve the linear motion of the platform 14, and the parallel orientation of the platform 14 and base 10. [Emphasis added.]

Similarly, col. 8, lines 32-34, specify that “The platform of this mechanism does have the tendency to raise and lower straight up out of the plane without rotation in any direction” (emphasis added).

The remaining two cited passages, i.e., col. 6, lines 50-65, and col. 13, line 65, through col. 14, line 4, mention “radial orientation” and “radial design,” which might have prompted the Examiner to conclude that these terms imply some sort of rotation. The Applicant submits that these terms simply describe the orientation of spring segments with respect to the platform, with the term “radial orientation” simply meaning that the spring segments are oriented orthogonally to the platform edge (see Figs. 16a and 17a).


To summarize, Howell does not disclose a spring that enables rotation. To the contrary, Howell makes every effort to design a spring structure that does not subject Howell's platform to any degree of rotation or pivoting. It is therefore submitted that Howell teaches away from a spring structure that enables rotation.

For all these reasons, the Applicant submits that the Examiner misinterpreted the teachings of Howell and used them improperly to reject previously presented claim 30. It is therefore submitted that claim 27 is allowable over Howell. Since claims 28-29 and 31 depend from claim 27, it is further submitted that those claims are also allowable over Howell and reference combinations that involve Howell. The Applicant submits therefore that the rejections of claims under §§ 102 and 103 have been overcome.

In view of the above amendments and remarks, the Applicant believes that claims 27-29 and 31 are in condition for allowance. Therefore, the Applicant believes that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

Respectfully submitted,

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